

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:)
)
Steve A. Hanson and Patricia A. Hanson,) **Case No. 17-13651-JDL**
) **Chapter 13**
DEBTORS.)

OBJECTION TO DEBTORS' PROPOSED CHAPTER 13 PLAN

Creditor, Nationstar Mortgage LLC, hereby objects to Debtors' proposed Chapter 13 Plan (the "Plan") and in support thereof states as follows:

1. Creditor is the holder of a secured claim in the amount of \$46,509.06 plus interest at the rate of 3.875%, costs and attorney's fees, secured by the following described residential property of Debtors:

Lot Ten (10), WHIP-O-WILL HOLLOW, being a Subdivision of part of the Southeast quarter (SE/4) of Section 35, Township 10 North, Range 2 East of the Indian Meridian, Pottawatomie County, State of Oklahoma, according to the recorded Plat thereof, commonly known as 33810 Waco Road, Shawnee, OK 74801

(the "Property").

2. As of the date of the filing of Debtors' bankruptcy Petition, Debtors were in arrears on their obligation to Creditor in the amount of approximately \$11,127.67 plus interest.

3. The Plan fails to meet the requirements of 11 U.S.C. Sections 1325 and 1322(b)(5) insofar as the Plan fails to provide for the curing of default and the maintenance of regular ongoing payments, as the Plan attempts to treat the claim as a total debt claim. As the subject property is the principal residence of the Debtors, the Plan cannot modify the terms of the Note, Mortgage, or any loan modifications thereto, and cannot modify the rights of Creditor, regardless of whether any foreclosure judgment has been entered in state court.

WHEREFORE, Creditor requests that this Court enter an Order modifying the terms of the Plan so as to provide for maintenance of the regular ongoing monthly payments pursuant to the terms of the Note, Mortgage, and Loan Modifications, and provide for full payment of the arrearage claim plus interest to Creditor, or, in the alternative, deny confirmation of the Plan.

KIVELL, RAYMENT and FRANCIS, P.C.

s/Michael J. George

Brian J. Rayment, OBA #7441

Michael J. George, OBA #22570

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**ATTORNEYS FOR CREDITOR,
NATIONSTAR MORTGAGE LLC**

CERTIFICATE OF MAILING/ELECTRONIC TRANSMISSION

I hereby certify that on October 10, 2017, I mailed, with sufficient postage thereon, or electronically transmitted, a true and correct copy of the above and foregoing document to:

James E. Palinkas

318 N. Broadway Ave,

Shawnee, OK 74801

*Service accomplished through Court's CM/ECF system.

John Hardeman

Chapter 13 Trustee

P.O. Box 1948,

Oklahoma City, OK 73101

*Service accomplished through Court's CM/ECF system.

s/ Michael George

Michael George, OBA #22570